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Measure attempts to save infants

Bill sent to governor allows 30 days to give up an unwanted baby.

By Jim Sanders -- Bee Capitol Bureau

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Mothers of unwanted California babies would have up to 30 days to surrender their newborns without fear of prosecution under legislation sent Thursday to Gov. Arnold Schwarzenegger.

The final legislative hurdle was cleared with a 64-4 vote by the Assembly to concur in Senate amendments to the measure, Assembly Bill 1873.

"I think if we're really honest, this is a pro-life bill," said Assemblywoman Bonnie Garcia, R-Cathedral City. "We're giving a baby an opportunity to live."

California's current safe-surrender law, passed in 2000, gives mothers three days to present their babies to hospital emergency rooms or other designated sites.

Under AB 1873, fire stations also could accept newborn infants.

The bill initially called for \$5 million in state funds to promote the program. Funding was dropped in legislative committees.

Assemblyman Alberto Torrico, a Newark Democrat who proposed AB 1873, said that allowing a monthlong surrender period will save lives.

In Torrico's Bay Area hometown, Newark, a dead child estimated to be less than a week old was found last January in a Jack-in-the-Box trash bin.

"We're trying to ensure that mothers in California understand that they have alternatives other than to leave a young baby in a garbage can," Torrico said.

Schwarzenegger has taken no position on AB 1873, but last year he signed legislation to maintain the safe-surrender program, spokeswoman Margita Thompson said.

More than 150 babies have been safely surrendered in California since 2001, but more than 40 babies have been found dead and abandoned during the same period, according to Torrico.

Assemblyman Tim Leslie, R-Tahoe City, supports the concept of a safe-surrender program but voted against AB 1873.

"It just seems like it's an act that devalues humanity and devalues our children, when for up to 30 days you can just give your child away," he said.

"It could even be that someone had a baby and thought they were really going to enjoy the experience," he said.

"And after 30 days of changing diapers, (the mother) decided, 'Oh, this isn't so great after all, maybe I'll just go drop this baby off at the fire station.'"

Leslie said families in such situations should place their newborns up for adoption.

Garcia encouraged legislators to consider the plight of a 13-, 14- or 15-year-old too afraid to tell her parents of a pregnancy.

Garcia said she has known such teenagers "and the only choice they saw was either to hide that pregnancy or find a way to destroy that child."

Assemblyman Todd Spitzer, R-Orange, said the state's primary goal should be to help children -- not set strict time frames for compliance.

"Whether it's three days or 30 days is absolutely ridiculous, quite frankly," he said. "Every woman is different."

Fifteen states operate safe-surrender programs with 72-hour time frames, while 12 states have 30-day provisions and two states have one-year provisions, according to Torrico.

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